

**COUNTY OF LOS ANGELES****MARVIN J. SOUTHARD, D.S.W.***Director***MISSAN KERR***Deputy Director***RODERICK SHANER, M.D.***Medical Director***BOARD OF SUPERVISORS****GLORIA MOLINA****YVONNE B. BURKE****ZEV YAROSLAVSKY****DON KNABE****MICHAEL D. ANTONOVICH****DEPARTMENT OF MENTAL HEALTH**<http://dmh.lacounty.info>

550 SOUTH VERMONT AVENUE, LOS ANGELES, CALIFORNIA 90020

Reply To: Office of the Director

Phone: (213) 738-4801

Fax: (213) 365-1297

April 4, 2006

**TO:** Mayor Michael D. Antonovich  
Supervisor Gloria Molina  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

**FROM:** Marvin J. Southard, D.S.W.  
Director of Mental Health

**SUBJECT: REPORT ON SOBER LIVING HOMES**

This is in response to your Board motion of January 24, 2006, which directed this Department, along with the Departments of Community and Senior Services (DCSS), Health Services/Office of Environmental Health (DHS/OEH), Regional Planning (DRP) and the Sheriff's Department to report back on 1) the status of the investigation of the sober-living home located in unincorporated Lennox, as well as other facilities operated by the owner and/or associates; 2) a review of all sober-living applications pending before the County; 3) the increasing incidents of regulatory issues and problems with sober living facilities in LA County; 4) an inventory of the existing remedies available to the respective departments and agencies encountering the incidents of abuse and unlawful activities; and 5) recommendations from the departments and agencies of what is needed further to prevent the escalation of abuse at these types of facilities.

Pursuant to these instructions, this Department convened a work group to evaluate and report back on these issues. This work group consisted of representatives from DCSS, DHS/OEH, DHS/Alcohol and Drug Program Administration, DRP, County Counsel, Treasurer and Tax Collector, and the State of California Department of Social Services Community Care Licensing Division (CCLD).

The attached report:

- Defines sober living homes;
- Provides a status of the investigation of the sober-living home located in unincorporated Lennox, as well as other facilities operated by the owner and/or associates;
- Provides a review of all applications for the operation of boarding houses pending before the County;
- Provides an overview of regulatory issues and problems with sober living facilities in LA County; and
- Provides an inventory of existing remedies available to departments and agencies encountering incidents of abuse and unlawful activities in sober-living homes.

*"To Enrich Lives Through Effective And Caring Service"*

Each Supervisor  
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Based upon the investigation of the sober-living home located in unincorporated Lennox and associated properties, it has been determined that additional research is required in order to make recommendations to your Board that are insightful and appropriate in the furtherance of our mutual goal to prevent the incidents of abuse and unlawful activities at these facilities. A detailed report containing these recommendations is forthcoming at a later date.

If you have any questions regarding this memo or the attached report, please call me or your staff may contact Carole Mathews Director of the Patients' Rights Office at (213) 738-4873.

MJS:CM:AG:vj

Attachment(s) 2

c: Chief Administrative Officer  
Executive Office, Board of Supervisors  
Sheriff  
District Attorney  
County Counsel  
Treasurer and Tax Collector  
Director of Regional Planning  
Interim Director, Health Services  
Interim Director, Community and Senior Services  
Ben Partington, California Department of Social Services  
Claire Matsushita, California Department of Social Services  
Ken Shonlau, Sober Living Coalition

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## **REPORT ON ISSUES RELATED TO SOBER-LIVING HOMES IN LOS ANGELES COUNTY**

In response to allegations of sub-standard living conditions, allegations of physical abuse by staff, as well as complaints by the community regarding harassment by residents at sober-living home located in unincorporated Lennox, a series of multi-departmental inspections were conducted at the facility. On January 20, 2006, a work group of departmental representatives met to discuss the status of the investigation at the Lennox facility, as well as other facilities (homes) that were reported to be operated by the owner and/or his associates. This work group was comprised of investigative staff from the Department of Regional Planning (DRP), the Department of Health Services/Office of Environmental Health (OEH), and social workers and managers from the Department of Mental Health (DMH) and Community and Senior Services/Adult Protective Services (DCSS/APS) who participated in the on-site inspections at the Lennox facility. Representatives from the State Department of Social Services Community Care Licensing Division (CCLD), the Los Angeles City Attorney's office and the Department of Building and Safety of the City of Los Angeles were also in attendance.

As directed by the Board of Supervisors' motion of January 24, 2006, the following report provides 1) an overview of findings relative to the inspections conducted by the various departments/agencies at the Lennox facility, as well as the other properties reported to be associated with this facility, 2) an overview of regulatory issues and problems with sober living facilities in LA County; and 3) an inventory of existing remedies available to departments and agencies encountering incidents of abuse and unlawful activities in sober-living homes.

### **STATUS OF SOBER-LIVING HOME INVESTIGATION-UNINCORPORATED LENNOX**

#### **Findings**

##### **DCSS/APS**

As a result of the investigation of the Lennox facility and other properties reported to be associated with that facility, DCSS/APS opened one case.

- Allegations of physical abuse against a resident at the Lennox facility were not confirmed. Although the alleged victim stated that another resident struck him with a hammer, he refused to identify this person or to press charges. The alleged victim subsequently reported to DMH staff that he was struck by the facility manager (not another resident, as he originally reported to CSS/APS staff). The Lennox Sheriff's Department could not file a report without identifying the perpetrator.
- A second case involving allegations of physical abuse is currently being investigated by APS, DMH and Lennox Sheriff's Station staff. The female victim, a former resident of the Lennox facility was not present at the time of the initial investigation of the facility by CSS/APS or DMH. The victim subsequently came forward; represented by an attorney who contacted DMH with allegations of assault by the facility manager. The attorney reports that his client was blinded in one eye as a result of the assault. This victim was initially interviewed by DCSS/APS staff on March 17, 2006. On March 31, 2006, a CSS/APS social worker provided the client with resources and referrals for care management services including housing assistance, substance abuse, psychiatric and medical services, as well as transportation.
- Seven additional properties associated with the Lennox facility were investigated by DCSS/APS social workers. There appeared to be no indication of elder or dependent adult abuse or self-neglect at these residences.

##### **CCLD**

On November 23, 2005, the CCLD Los Angeles Tri-County Adult Care Licensing Office received a complaint alleging that the Lennox sober-living home was operating as an unlicensed facility.

- On December 15, 2005, CCLD staff visited the location and determined that two individuals present were in "need of care and supervision." The Licensing Program Analyst issued a Notice of Operation in Violation of Law, requiring the operator to apply for licensure or to cease operating.

- On January 18, 2006, CCLD staff made a joint visit with staff from the County Sheriff's Office and DCSS/APS. During this visit it was determined that the facility still had residents in need of care and supervision and had failed to submit an application for licensure. CCLD assessed civil penalties against the operator, Willie Hinton. CCLD staff returned to this facility on January 27, 2006, and found that the facility was abandoned.

On January 19, 2006, CCLD received additional complaints of unlicensed care at seven other properties associated with the operator of the sober -living home located in unincorporated Lennox. CCLD is continuing to investigate these complaints in coordination with staff from several County agencies.

#### DMH

DMH made three visits to the Lennox facility, as well as one visit to an associated facility located in city of Los Angeles, where it was determined that many of the residents from the Lennox facility were relocated. Both of these facilities were cited by CCLD for running an unlicensed operation. The following are results from the investigation of the Lennox facility:

- According to interviews with residents, many were recruited from the Skid Row area of Los Angeles with promises of good food and good living conditions.
- Other residents were discharged to associated facilities from acute inpatient psychiatric facilities.
- DMH placed one resident on a 72-hour hold for suicidality; he was admitted to an inpatient psychiatric unit.
- Two residents were relocated to a licensed Adult Residential Facility.
- Seven residents were placed in a safe and supportive independent living environment and linked to mental health services. One of the residents made the decision to return to the Lennox facility when a facility employee, acting as payee on his SSI funds would not relinquish his check.

The Department continues to work with the appropriate agencies to investigate additional facilities reported to be associated with the sober living home formerly located in unincorporated Lennox to ensure the safety and well-being of the residents of these homes.

#### DRP

During a multi-department inspection conducted on December 15, 2005, DRP staff found three zoning violations at the Lennox facility. These violations involved:

- Inaccessible garages
- Storage of junk and salvage material
- Operation of an Adult Residential Facility (ARF), having 7 persons or more, without an approved conditional use permit from DRP.

After subsequent visits to the property, DRP staff found the five-unit apartment building vacant on January 25, 2006. Staff reported that some junk and salvage material remained in the rear yard. However, staff also noted on the following day that some of the material had been removed. In addition, staff contacted the property owner who indicated that he had been informed by his tenant that he was moving out. Staff instructed the property owner to contact DRP once he became in possession of this property in order to conduct a follow-up inspection.

Other properties reported to be associated with the Lennox facility are located in the City of Los Angeles, which is outside of DRP's jurisdiction. These additional facilities were jointly inspected by DHS/OEH and the City of Los Angeles Building and Safety Division.

#### OEH

In addition to inspections of the Lennox facility dating back to August 2005, a re-inspection of the Lennox facility on January 18, 2006 revealed numerous violations. In a letter dated January 19, 2006, OEH staff notified the facility's owner and operators of several violations of the LA County Health and Safety Code and State Housing Law, which included, but were not limited to the following:

- Infestation of cockroaches
- Damaged counter tiles
- Trash and debris
- Damaged and/or missing smoke detectors
- Worn and/or filthy floor coverings
- Inoperable plumbing

Additional investigations of the Lennox facility on February 2, 2006 and February 9, 2006, revealed that the property was vacant.

Further, OEH conducted joint inspections with the Building and Safety Department of the City of Los Angeles of seven additional dwellings reported to be associated with the Lennox facility. OEH issued citations for substandard conditions at four out of the seven locations. The remaining three dwellings were reported as being in "fair" to "excellent" condition and not associated with the Lennox facility. Follow-up inspections of the four dwellings cited for substandard conditions locations were conducted on March 23, 2006. Although some progress has been made in terms of correcting those issues originally cited, full compliance had not been achieved at the time these properties were re-inspected. New citations were issued on March 28, 2006 for each of the properties for the remaining violations.

#### SHERIFF

Staff at the Lennox Sheriff's Station is in the process of investigating an alleged assault by the facility manager on a female victim; a former resident of the Lennox facility. The victim alleged that the assault resulted in the victim being hospitalized. The facts relative to this incident are currently being determined and the results of this investigation are pending.

#### REVIEW OF SOBER-LIVING HOME APPLICATIONS

A sober living home is defined as:

A home that provides room or board, or both, and requires residents to abstain from using alcohol or illicit drugs but does not provide or require participation in any recovery maintenance activities nor maintain case management files as a condition of residency.

Current State and local statutes do not provide for the regulation of sober-living homes because there are no treatment or recovery services provided at these facilities. Sober -living homes are meant to provide an environment for residents that is free of alcohol and drug use. State law prohibits sober-living homes containing six or fewer individuals from being treated differently than any other single family residence.

Because there are no State or local laws to govern sober-living homes, there is no agency with the authority to license or monitor the operation of these facilities. The Treasurer and Tax Collector (TTC) does however, issue business licenses to boarding houses. Although some sober-living homes may be licensed boarding houses, TTC *does not* make this distinction and therefore these facilities cannot be tracked by the TTC or any other agency.

Title VII of the County Code defines a boarding house as a lodging house or other building or structure maintained, advertised or held out to the public as a place where sleeping or rooming accommodations are furnished to the whole or any part of the public, whether with or without meals. This section further defines boarding houses as places which provide sleeping and living accommodations to five or more persons unrelated to the operator, and which are not licensed as an apartment, hotel, or motel. A license is required to operate a boarding house.

#### REGULATORY ISSUES

The "regulatory issues" associated with sober-living homes were identified by the work group as follows:

##### **Violation of Building, Zoning and Health and Safety Ordinances**

When investigating incidents of suspected dependent adult abuse in unlicensed residential facilities such as sober-living homes, quite often violations of building, zoning, and health and safety ordinances are discovered, which include, but are not limited to the following:

- Operation of an Adult Residential Facility without an approved conditional use permit.
- Infestation of cockroaches
- Storage of junk and salvage material
- Trash and debris

County Code Enforcement departments regularly cite for such violations to ensure compliance with the applicable ordinances and the correction of violations which result in sub-standard living conditions.

#### **Unlicensed/Unauthorized Provision of Care and Supervision**

One of the most critical issues regarding the regulation and monitoring of sober-living homes is the use of these facilities as "dumping grounds" for persons with mental health issues. On January 11, 2006, DMH issued a memorandum to mental health clinicians and service providers to address these violations of patient discharge rights, which are intended to ensure that patients are safe and have access to the appropriate supportive services. Quite often, mental health patients needing care and supervision are discharged or referred to these unlicensed facilities.

Upon discovery, mental health patients in need of care and supervision are removed from these unlicensed homes and placed in the appropriate facilities. In addition, the appropriate referrals are made to CCLD, which has enforcement authority to cite these facilities for the violation of regulations associated with licensing requirements and assess penalties for such violations.

#### **Medi-Cal Fraud and/or Social Security Fraud**

Often (as identified with the unincorporated Lennox facility and associated properties), individuals acting in the capacity of facility managers or operators, were discovered to be the payee on residents' Social Security benefits. This could result in unauthorized or otherwise improper expenditure of benefits, as well as the increased potential for residents to be "held hostage" at a facility because they have no access to their benefits. The latter was reported to DMH staff by a former resident of the Lennox facility, having returned to the facility after being relocated to an independent living home.

Further, some facility residents admitted to feigning various illnesses in order to gain access to hospitals for the purpose of recruiting new residents to these unlicensed facilities. Most often, these residents are recruited from mental health facilities and/or skid row. The "qualifying" criterion used for the recruitment of potential residents is the ability to qualify for and obtain Social Security and/or Medi-Cal benefits. Because it is suspected that the driving force behind unscrupulous operators of sober-living homes is the financial benefit gained from exploiting vulnerable recipients of government assistance, staffs from County Counsel and the CAO are in the process of developing strategies that will assist County departments to coordinate with the California Department of Justice Bureau of Medi-Cal Fraud and Elder Abuse, as well as the Social Security Administration, in order to prevent sober-living home owners/operators suspected of Medi-Cal and/or Social Security fraud from victimizing residents of these facilities.

#### **History of Proposed Legislation- Regulation of Residential Facilities**

In recent years, there have been several legislative proposals introduced relative to the regulation of residential facilities. Generally, these legislative initiatives have addressed licensed facilities, but some have provided for the licensing and oversight of sober-living facilities, as well. Attached as Attachment I is a chart, which summarizes recent legislation, regarding the regulation of residential facilities, including the status of each Bill. Attempts to enact legislation to regulate unlicensed residential facilities have so far been unsuccessful; having either become inactive or vetoed.

#### **EXISTING REMEDIES-ASSISTANCE TO INDIVIDUALS**

##### **Community and Senior Services-Adult Protective Services**

DCSS/APS responds to all reports of physical abuse and neglect of an elder or dependent adult by another person. This includes those persons who may reside in unlicensed facilities such as sober living homes. DCSS/APS immediately cross reports to the local law enforcement agency with jurisdiction for response to the potential criminal activity, but has no legal authority to involuntarily remove either the alleged victim or perpetrator. DCSS/APS relies on law enforcement to issue arrest warrants to remove alleged perpetrators. DCSS/APS also provides for the voluntary placement of individuals in alternative facilities upon determination that such placement is warranted and desired and works very closely with

DMH and CCLD to ensure the safety and protection of elder and dependent adults in licensed and unlicensed residential facilities.

### **Department of Mental Health**

A major issue identified as a contributing factor in the increase of incidents associated with abuse and unlawful activities in sober-living homes is the lack of quality, affordable housing in communities for individuals who require collaborative living environments. In the effort to directly address this issue, DMH, when necessary and appropriate, places individuals requiring care and supervision in licensed facilities. In addition, DMH supports programs that provide housing alternatives for individuals in need of more structured living environments, but not necessarily licensed care. The following are two alternatives for such housing identified by this Department:

**Collaborative Living Housing**-Collaborative Housing is a DMH supported public-private partnership which seeks to provide a solution to homelessness for persons with disabilities. As part of the local plan for client driven services under the Mental Health Services Act, four Mental Health Peer Advocate positions to support this initiative have been requested for the 2006-07 fiscal year. These staff would serve as liaisons to a network of Collaborative Living houses, work directly with Collaborative Housing owners/managers, and help to ensure that residents are linked to necessary services, including individual mental health services, case management, and employment, vocational, volunteer and educational opportunities. In addition, the Mental Health Peer Advocates would review and monitor Collaborative Housing in order to uphold a high level of quality. Monitoring of these facilities will include a pre-inspection review and regular, unannounced inspections focusing on health and safety standards.

**The Sober Living Coalition**-In the absence of regulatory requirements for sober-living homes, the Sober Living Coalition has established a network of quality sober-living homes in Southern California. All sober-living homes that are a part of the Sober-Living Coalition are inspected to ensure that the homes are well managed and meet quality standards of health and safety. Over 196 sober-living homes have been "approved" against this set of standards by the Sober Living Coalition in the Los Angeles County. A copy of the quality assessment instrument, the "Sober Living Home Coalition Inspection Check List", is attached as Attachment II.

The following is a breakdown of the number of "approved" sober-living homes (as of March 15, 2006) in the various regions across Los Angeles County:

AREA/REGION	NUMBER OF APPROVED SOBER LIVING HOMES*
Los Angeles Metro-South Area	19
Los Angeles (West)-Hollywood Area	28
Long Beach-South Bay Area	53
San Fernando and Antelope Valleys	42
San Fernando (40)	
Antelope Valley (2)	
San Gabriel Valley	29
<b>TOTAL:</b>	<b>171</b>

\* Meaning approved by the Sober Living Coalition

This data is not intended to depict the actual number of sober living homes in the County of Los Angeles, rather, the number of homes that are currently affiliated with the Sober Living Coalition. The actual number of sober-living homes in the County of Los Angeles is unknown.

The Sober Living Coalition has served as a resource for DMH, as well as DHS/Alcohol and Drug Program Administration, as a viable option for clients in need of sober living housing since March 2003.

### **EXISTING REMEDIES- CODE ENFORCEMENT**

#### **Sheriff**

Section 15630 of the Welfare and Institutions Code (WIC), mandates that certain individuals and organizations report all incidents of suspected elder and dependent adult abuse and neglect.

Peace officers are considered mandated reporters. They are required to report incidents of elder or dependent adult abuse to DCSS/APS and in certain types of incidents, the State Long-Term Care Ombudsman Coordinator (Ombudsman) via "Report of Suspected Dependent Adult/Elder Abuse" (SOC 341) form. Additionally, peace officers respond to calls for service related to incidents of elder or dependent adult abuse and are responsible for the detention and arrest of violators of applicable laws.

All incidents of elder or dependant adult abuse are assigned by following normal procedures found in the Sheriff's Department's Manual of Policy and Procedures. Primary assignment lies with the Station Detective Bureau. The Fraud Unit (Commercial Crimes Bureau) will assist stations on financial abuse incidents by answering questions and investigating high loss and complex cases.

#### **Office of the County Counsel-Code Enforcement Unit (CCCEU)**

The CCCEU was established in February 2005. This unit handles civil enforcement actions against code violators. The CCCEU works with property owners and area residents to assist violators in bringing properties into compliance. If the CCCEU is not able to resolve violations through voluntary compliance, civil action is pursued with administrative fines and non-compliance fees. Unresolved cases are also referred to the District Attorney's Code Enforcement Section for further investigation, hearing and criminal prosecution, if necessary.

#### **District Attorney-Code Enforcement Section**

The District Attorney Code Enforcement Section investigates and prosecutes complex code violations. This would include those violations occurring at unlicensed facilities such as sober living homes. The District Attorney Code Enforcement Section also provides guidance and support to County Code enforcement departments to assist in the development of prosecutable cases.

#### **District Attorney-Elder and Dependent Adult Abuse Unit**

The Office of the District Attorney prosecutes crimes of Elder and Dependent Adult Abuse. These include financial abuse, physical abuse, or crimes of neglect by others. The Elder and Dependent Adult Abuse Unit implements strong prosecutorial efforts aimed at punishing offenders and making the victims whole. In addition, the Unit emphasizes abuse prevention through community outreach programs to protect potential victims and the professionals who care for them. The deputy district attorneys (DDA) provide training programs to law enforcement and DCSS on how to successfully investigate an elder or dependent adult abuse case.

The Los Angeles County DA's Office has sole and independent prosecutorial discretion to determine which matters should be filed as criminal cases and to accord objective and impartial consideration to each individual case, including options relating to pleas and sentencing. The prosecutor(s) assigned to the Elder and Dependent Adult Abuse Unit will appropriately and independently furnish to the County of Los Angeles prosecutorial services for elder and dependant adult abuse cases in accordance with rules of ethics and professional responsibility governing the actions of prosecuting attorneys.

#### **Health Services-Environmental Health, Housing and Institutions Program**

Title 11 of the Los Angeles County Code defines conditions that render a facility "substandard." Property owners, who allow inhabitants to occupy dwellings in substandard conditions, are in violation of this code and may potentially be reported for abuse. OEH is a mandatory reporter of elder, child or adult abuse. In consideration of that fact, any known violations are required to be reported to the applicable agency for enforcement and correction.

During the inspection of a dwelling, if it has been determined that substandard conditions exist, OEH staff will prepare and issue an Official Notice of Violation, an Official Housing Inspection Report, a Field Visit Report and/or Compliance Letter to the owner/resident or responsible party of the property.

The owner or responsible party for the property will be given an opportunity to abate the cited violation(s). Non-emergent violations may be given a time period not to exceed thirty days to make the necessary corrections. Emergent violations shall require immediate abatement. Additional time may be granted if the owner or operator has demonstrated significant progress in the abatement of the violations.

When the owner, resident or responsible party for the property fails to make adequate progress in the correction of violations or refuses to comply, issuance of an Office Hearing Notice will follow.

Continued non-compliance may result in issuance of a Hearing Notice with the DA and/or City Attorney or the CCCEU. Failure to comply subsequent to a DA and/or City Attorney Hearing will result in the filing of a Court Case with the District and/or City Attorney for criminal prosecution or the CCCEU for civil action.

### **Regional Planning**

Title 22 of the Los Angeles County Code provides the local zoning ordinance. When DRP receives a complaint from a constituent or a referral from a government agency that a property is being used as an adult residential facility for seven or more adults or as an adult day care facility (both are required to be licensed) without appropriate land use approvals, the Department will contact the operator/owner of the property and schedule an appointment to inspect the facility. During the inspection, the Department will document any zoning code violations, inform the owner/operator of such land use violations in writing and request the owner/operator comply within fifteen (15) days of the written notice of violation. If the Department's inspection also reveals that the facility is operating without a necessary licensing from the State, the Department will make appropriate referrals to the CCLD or another governmental agency to handle operation and licensing issues. When there are zoning violations that involve un-permitted structures used as living quarters which pose a health and safety concern to elder or dependent adult residents, a referral will be made to DCSS/APS.

### **State Department of Social Services-Community Care Licensing Division**

*Criminal Penalties*-Any person who violates the Community Care Facilities Act, or who willfully or repeatedly violates any licensing regulation is "guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment in the county jail for a period not to exceed 180 days, or by both such fine and imprisonment" under the California Health and Safety (H&S) Code Section 1540(a). Upon a CCLD finding that a facility is in operation without a license, a peace officer may enforce H&S Code Sections 1503.5 or 1508, or both, as authorized by H&S Code Section 1540.1. "A facility violating Section 1503.5 or 1508, or both, is guilty of an infraction punishable by fine of two hundred dollars (\$200) for each day of violation."

*Civil Injunction and Monetary Penalties*-The State Department of Social Services, by its director, may bring a civil court action to enjoin the violation or threatened violation of Section 1503.5 or 1508, or both, pursuant to H&S Code Section 1541. Additionally, "any person who violates Section 1503.5 or 1508, or both, may be assessed by the department an immediate civil penalty in the amount of two hundred dollars (\$200) per day of the violation" pursuant to H&S Code Section 1547.

### **Treasurer and Tax Collector**

When a complaint or inquiry is received from either a citizen or party of interest, or, another government agency, and involves some type of business activity, TTC initiates an investigation to determine if a violation exists. A condition of violation exists when a person 1) operates a business without the required license; 2) operates a business in violation of the other provisions of Title VII of the County Code; 3) violates any additional conditions imposed on the license; or, 4) operates a business that has violated any applicable zoning, building and safety, fire, health, or other County code requirements. Violations these provisions is a misdemeanor punishable by a fine not to exceed \$1,000.00 or by imprisonment in the County Jail for a period not to exceed six months, or by both fine and imprisonment.

### **County of Los Angeles Residential Placement Protocols and Memorandum of Understanding**

On January 1, 2005, the Residential Placement Protocols and Memorandum of Understanding (MOU) became effective. The purpose of this MOU is to improve communication between County departments and to implement a collaborative approach to addressing the needs of elder and dependent adults that utilize licensed and unlicensed residential facilities, which includes sober living homes. In addition to the above-mentioned County departments, the following are parties to this MOU:

Chief Administrative Office  
Fire  
Probation  
Public Works

Since the inception of the Residential Placement Protocols and MOU in January 2005, representatives from these departments have participated in multiple "task force" investigations of unlicensed adult residential facilities in response to complaints of unlawful activities, abuse and neglect in unlicensed adult residential facilities throughout the County.

This includes the investigation of the sober-living home in unincorporated Lennox and its associated properties.

Although not formal parties to this MOU, representatives from CCLD, the State Long Term Care Ombudsman, and the State Department of Veterans Affairs have committed to working with the County departments in the furtherance of our efforts to ensure the safety of elder and/or dependent adults who reside in unlicensed residential facilities such as sober living homes. CCLD has been very actively involved and has committed substantial time and resources investigating the sober living homes addressed in this report.

## ATTACHMENT I

YEAR	BILL	DESCRIPTION OF BILL	STATUS
1998	SB 1540	Required development of a plan to identify and regulate unlicensed residential programs, as well as establish a new licensure program for adult recovery maintenance facilities by the Department of Alcohol and Drug Programs.	Vetoed/Fiscal Issues
	SB 1971	Would require the State Department of Social Services and Alcohol and Drug Programs to develop an assessment of the need for residential facilities and to develop and maintain a database that includes information on residential facilities and, to the extent possible, unlicensed facilities or residences that provide some assistance to residents.	Inactive
2003	SB 340	Would require the State Department of Alcohol and Drug Programs to administer the licensure and regulation of adult recovery maintenance facilities.	Inactive

YEAR	BILL	DESCRIPTION OF BILL	STATUS
2003	SB 522	Would establish a licensing and inspection program to be administered by the State Department of Social Services, for residential hotels or motels, apartments, ad room and board facilities in which over 25% of the residents are recipients of SSI/SSP or other federal or state disability assistance or have a disability.	Inactive
2005	SB 258	Would require the State Department of Mental Health to establish a workgroup and report back to the Legislature with recommendations for improving the quality of care at residential facilities providing housing and care to adults with mental health issues.	Active

## ATTACHMENT II

# SOBER LIVING COALITION INSPECTION CHECK LIST

May 2005

Below are the questions the coalition peer inspectors will be asking when they review your home. Make sure your home is fully prepared prior to the inspection date.

## HEALTH REVIEW

Every place in the home must be clean, well maintained and free of pest infestation. Piles of newspapers, clothes or other stored materials in any location could create a fire hazard.

Below are the principle observations.

1. Any signs of roach or other pest infestation problems?
2. Kitchen and appliances clean and well maintained? At least 1 Refrigerator for every 6 residents.
3. Refrigerators temperature reads 36 to 44 degrees and freezers at approximately 0 degrees.
4. Is there adequate and clean food storage space provided?
5. Are any piles of newspapers, clothes or other stored materials creating a fire or safety hazard?
6. Are bathrooms clean and orderly? Do Six (6) or less residents share a bathroom?
7. Are the furniture and furnishings clean and of reasonable quality?
8. Do all sleeping rooms provide all residents with adequate space?

## SAFETY REVIEW

Home must meet basic safety requirements. Below are the principle observations.

1. Are there smoke detectors in every sleeping room, hallway, inside smoking areas and outside of kitchen?
2. Is there a fire extinguisher 6 to 8 feet from stove and 4 to 6 feet from the floor?
3. Are there at least two properly identified exits in case of emergencies?
4. Is the property address on the front of house clearly visible from the street?
5. Are the home address, emergency and utility phone numbers posted near the telephone?
6. Is smoking prohibited in areas that could be considered a fire hazard?
7. Are there appropriate approved safety disposal containers for smoking materials?
8. Are there any electric outlets or extension cords that could be considered a fire hazard?
9. Are Water Heaters strapped and is there a key wrench to shut off gas at the meter?
10. Does the management state, and does the building appear, to meet local building and safety codes?
11. Are the house and grounds well kept and consistent with the quality of the neighborhood?

## MANAGEMENT REVIEW

1. Has the house leader completed the sober housing workshop and has the basic skills?
2. Is there a clear and concise description of the nature of the home?
3. Is there a clear acceptance criterion for all applicants?
4. Is there a Personal Data Information Sheet for each applicant and resident?
5. Is there a resident, lodger or house member agreement?
6. Do the resident rules cover key issues? Are the rules clear and easy to understand?
7. Do the residents have a significant role in the management of the facility?
8. Does management provide any recovery or treatment services as defined by State licensing?
9. Does the home have General Liability coverage of at least \$500,000?
10. Have all management and house leaders signed the Code of Ethics?